

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: S2/14/13 S3/12/13

A Bill

SENATE BILL 233

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS AND AID TO
9 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE
10 DEPARTMENT OF EDUCATION FOR THE FISCAL YEAR ENDING
11 JUNE 30, 2014; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE DEPARTMENT OF EDUCATION -
15 GRANTS AND AID TO LOCAL SCHOOL DISTRICTS
16 APPROPRIATION FOR THE 2013-2014 FISCAL
17 YEAR.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. APPROPRIATION. There is hereby appropriated, to the
24 Department of Education, to be payable from the Department of Education
25 Public School Fund Account, for grants and aid to local school districts and
26 special programs of the Department of Education for the fiscal year ending
27 June 30, 2014, the following:
28

29 ITEM	FISCAL YEAR
30 NO.	2013-2014
31 (01) 98% URT ACTUAL COLLECTION ADJUSTMENT	\$34,500,000
32 (02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE	
33 HEALTH INSURANCE	15,000,000
34 (03) ADVANCED PLACEMENT INCENTIVE	825,000
35 (04) ALTERNATIVE LEARNING	23,318,012
36 (05) ARKANSAS EASTER SEALS	193,113



1	(06)	ASSESSMENT/END OF COURSE TESTING	24,223,861
2	(07)	AT RISK	1,688,530
3	(08)	BETTER CHANCE PROGRAM	111,000,000
4	(09)	BONDED DEBT ASSISTANCE	28,455,384
5	(10)	CONSOLIDATION INCENTIVE	3,760,200
6	(11)	CONTENT STANDARDS	161,000
7	(12)	CONTENTS STANDARDS CURRICULUM	
8		FRAMEWORKS	50,000
9	(13)	COOP EDUCATION TECH CENTERS	1,200,000
10	(14)	COORDINATED SCHOOL HEALTH	2,000,000
11	(15)	COURT ORDERED DESEGREGATION	69,814,372
12	(16)	CRIMINAL BACKGROUND CHECKS	25,000
13	(17)	DECLINING ENROLLMENT	13,963,389
14	(18)	DEPT OF CORRECTION	6,220,892
15	(19)	DISTANCE LEARNING	4,760,000
16	(20)	DISTANCE LEARNING OPERATIONS	7,575,000
17	(21)	DISTRESSED SCHOOL DISTRICT SUPPORT	50,000
18	(22)	EARLY CHILDHOOD SPECIAL EDUCATION	16,897,920
19	(23)	ECONOMIC EDUCATION	350,000
20	(24)	EDUCATION SERVICE COOPERATIVES	6,129,270
21	(25)	ENGLISH LANGUAGE LEARNERS	13,075,049
22	(26)	GENERAL FACILITIES FUNDING	8,100,000
23	(27)	GIFTED & TALENTED	1,335,381
24	(28)	GRANTS TO SCHOOL DISTRICTS	67,856
25	(29)	HOME SCHOOL TESTING	250,000
26	(30)	HUMAN DEVELOPMENT CENTER EDUCATION	
27		AID	526,150
28	(31)	INTERVENTION BLOCK GRANTS	302,000
29	(32)	ISOLATED FUNDING	7,896,000
30	(33)	LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
31	(34)	MASTER PRINCIPAL BONUS	200,000
32	(35)	NATIONAL BOARD OF PROF TEACHING	
33		STANDARDS	13,516,160
34	(36)	NATIONAL SCHOOL LUNCH	200,253,906
35	(37)	NON-TRADITIONAL LICENSURE	50,000
36	(38)	PROFESSIONAL DEVELOPMENT FUNDING	24,692,402

1	(39)	PUBLIC SCHOOL EMPLOYEE INSURANCE	37,273,600
2	(40)	RESIDENTIAL CENTERS/JUVENILE	
3		DETENTION	16,345,087
4	(41)	SCHOOL FACILITY JOINT USE SUPPORT	500,000
5	(42)	SCHOOL FOOD SERVICES	1,650,000
6	(43)	SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
7	(44)	SCHOOL FUNDING CONTINGENCY	25,000,000
8	(45)	SCHOOL WORKER DEFENSE	390,000
9	(46)	SERIOUS OFFENDER	1,716,859
10	(47)	SMART START/SMART STEP	10,666,303
11	(48)	SPECIAL EDUCATION SERVICES	2,802,527
12	(49)	SPECIAL EDUCATION-CATASTROPHIC	12,900,000
13	(50)	SPECIAL NEEDS ISOLATED FUNDING	3,000,000
14	(51)	STATE FOUNDATION FUNDING	1,923,089,661
15	(52)	STUDENT GROWTH	28,500,000
16	(53)	SUPPLEMENTAL MILLAGE	10,000,000
17	(54)	SURPLUS COMMODITIES	1,349,810
18	(55)	TEACHER LICENSING/MENTORING	5,008,758
19	(56)	TEACHER OF THE YEAR	100,000
20	(57)	TEACHER RECRUITMENT	2,100,000
21	(58)	TEACHER RETIREMENT MATCHING	10,102,189
22	(59)	TECHNOLOGY GRANTS	3,602,678
23	(60)	TECHNOLOGY IMPROVEMENTS	500,000
24	(61)	WORKER'S COMPENSATION	450,000
25	(62)	YOUTH SHELTERS	<u>165,000</u>
26		TOTAL AMOUNT APPROPRIATED	<u>\$2,740,213,319</u>

27

28 SECTION 2. REGULAR SALARIES - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.
 29 There is hereby established for the Department of Education - Arkansas Public
 30 School Computer Network for the 2013-2014 fiscal year, the following maximum
 31 number of regular employees.

32

33			Maximum Annual
34		Maximum	Salary Rate
35	Item Class	No. of	Fiscal Year
36	<u>No. Code Title</u>	<u>Employees</u>	<u>2013-2014</u>

1	(1)	N047N	ADE APSCN DIRECTOR	1	GRADE N908
2	(2)	G012C	ADE ASSISTANT TO COMMISSIONER	2	GRADE C129
3	(3)	G050C	ADE APSCN DIVISION MANAGER	2	GRADE C126
4	(4)	D037C	ADE APSCN APPLICATIONS MANAGER	5	GRADE C124
5	(5)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	2	GRADE C123
6	(6)	D050C	SECURITY ANALYST	1	GRADE C122
7	(7)	D044C	SYSTEMS ANALYST	1	GRADE C122
8	(8)	D055C	ADE APSCN FIELD ANALYST	25	GRADE C121
9	(9)	C020C	STUDENT APPLICATIONS SPECIALIST	5	GRADE C116
10	(10)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
11	(11)	D077C	HELP DESK SPECIALIST	2	GRADE C115
12	(12)	C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
13			MAX. NO. OF EMPLOYEES	48	

14

15 SECTION 3. APPROPRIATION - ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK.

16 There is hereby appropriated, to the Department of Education, to be payable
 17 from the Department of Education Public School Fund Account, for personal
 18 services and operating expenses of the Department of Education - Arkansas
 19 Public School Computer Network for the fiscal year ending June 30, 2014, the
 20 following:

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2013-2014</u>
24	(01) REGULAR SALARIES	\$2,328,377
25	(02) PERSONAL SERVICES MATCHING	791,477
26	(03) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	19,245,839
28	(B) CONF. & TRAVEL	7,250
29	(C) PROF. FEES	0
30	(D) CAP. OUTLAY	200,000
31	(E) DATA PROC.	0
32	(04) DATA ACCESS IMPLEMENTATION	<u>300,000</u>
33	TOTAL AMOUNT APPROPRIATED	<u>\$22,872,943</u>

34

35 SECTION 4. REGULAR SALARIES - OFFICE OF EDUCATION RENEWAL ZONES. There
 36 is hereby established for the Department of Education - Office of Education

1 Renewal Zones for the 2013-2014 fiscal year, the following maximum number of
 2 regular employees.

3				4	Maximum Annual
5				Maximum	Salary Rate
6	Item Class			No. of	Fiscal Year
7	No.	Code	Title	Employees	2013-2014
8	(1)	E007C	ADE OERZ DIRECTOR	1	GRADE C126
9	(2)	E020C	ADE OERZ TECHNICAL ASSIST SPECIALIST	3	GRADE C122
10	(3)	C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
11	MAX. NO. OF EMPLOYEES			5	

12
 13 SECTION 5. APPROPRIATION - OFFICE OF EDUCATION RENEWAL ZONES. There is
 14 hereby appropriated, to the Department of Education, to be payable from the
 15 Department of Education Public School Fund Account, for personal services,
 16 operating expenses and grants by the Department of Education - Office of
 17 Education Renewal Zones for the fiscal year ending June 30, 2014, the
 18 following:

19			20	ITEM	FISCAL YEAR
21	NO.				2013-2014
22	(01)	REGULAR SALARIES			\$259,688
23	(02)	PERSONAL SERVICES MATCHING			86,535
24	(03)	MAINT. & GEN. OPERATION			
25	(A)	OPER. EXPENSE			91,800
26	(B)	CONF. & TRAVEL			13,000
27	(C)	PROF. FEES			306,900
28	(D)	CAP. OUTLAY			0
29	(E)	DATA PROC.			0
30	(04)	EDUCATIONAL RENEWAL ZONE GRANTS			<u>717,450</u>
31	TOTAL AMOUNT APPROPRIATED				<u>\$1,475,373</u>

32
 33 SECTION 6. APPROPRIATION - INTERNATIONAL BACCALAUREATE PROGRAM. There
 34 is hereby appropriated, to the Department of Education, to be payable from
 35 the Department of Education Public School Fund Account, for grants and aid to
 36 local school districts for the International Baccalaureate Program by the

1 Department of Education for the fiscal year ending June 30, 2014, the sum of
2 \$75,000.

3
4 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MANDATORY
6 FUNDING PROVISION. The Department of Education shall expend or have
7 committed for expenditure funds in the Department of Education Public School
8 Fund Account in the amount of seventy-five thousand dollars (\$75,000) to
9 provide funding for grants and aid to local school districts for the
10 International Baccalaureate Program as appropriated herein.

11 The provisions of this section shall be in effect only from July 1,
12 2013 through June 30, 2014.

13
14 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
16 ALLOCATION. The appropriation for the Isolated Funding line item in Section 1
17 of this Act may be fully funded. Any funding and appropriation for Isolated
18 Funding that is not utilized shall be transferred to the appropriation for
19 Special Needs Isolated Funding in Section 1 of this Act and shall be used
20 there for fully funding each subsection (c) through (f) of Arkansas Code
21 §6-20-604 on a pro rata basis until the available funds are exhausted. Pro
22 rata basis is defined as providing each district qualifying for additional
23 funding under subsections (c) through (f) a proportionate share based on how
24 each district's additional funding amount bears to the total additional
25 funding amounts for all qualifying districts. If any funding and
26 appropriation remains after funding each subsection (c) through (f) of
27 Arkansas Code §6-20-604 the remaining balance shall be used to fund the
28 provisions of Arkansas Code §6-20-604 (h) on an equal basis until the
29 available funds are exhausted.

30 The provisions of this section shall be in effect only from July 1, ~~2012~~
31 2013 through June 30, ~~2013~~ 2014.

32
33 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS TO
35 SCHOOL DISTRICTS. For the purposes of distributing the Grants To School
36 Districts appropriation in Section 1 of this Act, "school district" means a

1 school district which contracts with a school district in an adjoining state
2 for the education of some of the pupils within the Arkansas school district
3 because the portion of the school district wherein such pupils live is
4 completely separated from the remainder of the school district by a reservoir
5 covering at least 12,000 acres at normal water level, and where to attend
6 school in their own district, the pupils of said portion would be required to
7 travel or to be transported a distance (measured by the nearest highway or
8 road route) of more than 35 miles round trip and pass through another school
9 district or districts. The Department of Education shall distribute the
10 monies appropriated for Grants to School Districts in Section 1 of this Act
11 to such school districts as reimbursement for expenses incurred in educating
12 the pupils residing in the separated portion of the school district. The
13 payments are to be limited to the amount of available appropriation. Such
14 school districts shall file a request for reimbursement with the Department
15 of Education and provide the Department of Education with such documentation
16 as is deemed necessary.

17 The provisions of this section shall be in effect only from July 1, ~~2012~~
18 2013 through June 30, ~~2013~~ 2014.

19
20 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL
22 EDUCATION SERVICES. The funds appropriated in the line item "Special
23 Education Services" in Section 1 of this Act shall be used to provide
24 extended year summer programs for handicapped students in need of such
25 services, to provide special education services to foster children who are
26 wards of the State, and to provide funds for the payment of salaries of
27 special education supervisors. The Department of Education shall distribute
28 such funds in the manner necessary to carry out the intent of this Section.

29 The provisions of this section shall be in effect only from July 1, ~~2012~~
30 2013 through June 30, ~~2013~~ 2014.

31
32 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 DESEGREGATION EXPENSES. (A) For the fiscal year ending June 30, and for each
35 fiscal year thereafter, the Department of Education shall from time to time
36 as needed, certify to the State Treasurer and the Chief Fiscal Officer of the

1 State, the amount of funds disbursed or approved to be disbursed by the
2 Department of Education for desegregation expenses under any "Desegregation
3 Settlement Agreement". Upon the receipt of such certification, the State
4 Treasurer, after making those deductions as set out in Arkansas Code 19-5-
5 202(b)(2)(B), shall also deduct from the net general revenues the amount
6 certified and transfer this amount to the Department of Education Public
7 School Fund Account there to be used exclusively for payment of or
8 reimbursement for expenses incurred from the Department of Education Public
9 School Fund Account under any "Desegregation Settlement Agreement".

10
11 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
13 CONSOLIDATION INCENTIVE. The appropriation contained herein for Consolidation
14 Incentive shall be allocated in accordance with rules and regulations
15 established by the State Board of Education.

16 The provisions of this section shall be in effect only from July 1, ~~2012~~
17 2013 through June 30, ~~2013~~ 2014.

18
19 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
21 RESIDENTIAL CENTERS/JUVENILE DETENTION. The funds appropriated herein for
22 Residential Centers/Juvenile Detention shall be allocated in accordance with
23 rules and regulations established by the State Board of Education.

24 The provisions of this section shall be in effect only from July 1, ~~2012~~
25 2013 through June 30, ~~2013~~ 2014.

26
27 SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
29 AUTHORITY. The Commissioner of the Department of Education, with the approval
30 of the Chief Fiscal Officer of the State and after approval by the Arkansas
31 Legislative Council or Joint Budget Committee, is hereby authorized to
32 request necessary appropriation transfers and any other budget related
33 adjustments necessary within the Department of Education. Provided, however,
34 that the Department of Education shall be limited to submitting no more than
35 two transfer requests during any fiscal year.

36 Determining the maximum number of employees and the maximum amount of

1 appropriation and general revenue funding for a state agency each fiscal year
2 is the prerogative of the General Assembly. This is usually accomplished by
3 delineating such maximums in the appropriation act(s) for a state agency and
4 the general revenue allocations authorized for each fund and fund account by
5 amendment to the Revenue Stabilization law. Further, the General Assembly
6 has determined that the Department of Education may operate more efficiently
7 if some flexibility is provided to the Commissioner of the Department of
8 Education authorizing broad powers under the Transfer Authority provision
9 herein. Therefore, it is both necessary and appropriate that the General
10 Assembly maintain oversight by requiring prior approval of the Legislative
11 Council or Joint Budget Committee as provided by this section. The
12 requirement of approval by the Legislative Council or Joint Budget Committee
13 is not a severable part of this section. If the requirement of approval by
14 the Legislative Council or Joint Budget Committee is ruled unconstitutional
15 by a court jurisdiction, this entire section is void.

16 The provisions of this section shall be in effect only from July 1, ~~2012~~
17 2013 through June 30, ~~2013~~ 2014.

18
19 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AETN
21 DOCUMENTED QUIZ BOWL COSTS. Of the total amount of appropriation and funds
22 authorized herein to the Department of Education for the Quiz Bowl each
23 fiscal year, an amount not to exceed forty thousand dollars (\$40,000) each
24 fiscal year may be made available to the Department of Education -
25 Educational Television Division for its documented costs associated with the
26 Quiz Bowl.

27 The provisions of this section shall be in effect only from July 1, ~~2012~~
28 2013 through June 30, ~~2013~~ 2014.

29
30 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
32 INTERVENTION BLOCK GRANTS FUNDING RESTRICTION. The Department of Education
33 shall make available from the Intervention Block Grants appropriation
34 authorized by this Act, one hundred thousand dollars (\$100,000) each fiscal
35 year for the annual expenses of the Quiz Bowl, thirteen thousand five hundred
36 dollars (\$13,500) each fiscal year for Creativity in Arkansas, Inc. for

1 grants up to \$1,000 each for students and chaperones, thirteen thousand five
2 hundred dollars (\$13,500) each fiscal year for Destination Imagination, one
3 hundred thousand dollars (\$100,000) each fiscal year for the State History
4 Day Competition, and seventy-five thousand dollars (\$75,000) each fiscal year
5 for a grant to the Arkansas Science Fair Association for grants to regional
6 and the state science fairs. The Department of Education shall allocate
7 General Revenue funding totaling no less than three hundred two thousand
8 dollars (\$302,000) each fiscal year from the Department of Education Public
9 School Fund Account to support the annual expenses of the Quiz Bowl, the
10 Creativity in Arkansas, Inc. for grants up to \$1,000 each for students and
11 chaperones, Destination Imagination, the State History Day Competition, and
12 the Arkansas Science Fair Association for grants to regional and state
13 science fairs. The Department shall either expend or have committed for
14 expenditure the monies allocated for the Quiz Bowl, Creativity in Arkansas,
15 Inc., Destination Imagination, the State History Day Competition, and
16 Arkansas Science Fair Association grants as authorized herein in order to
17 fulfill the provisions of this section.

18 The provisions of this section shall be in effect only from July 1, ~~2012~~
19 2013 through June 30, ~~2013~~ 2014.

20

21 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EAST
23 FUNDING PROVISION. Of the total amount appropriated for Technology Grants
24 each fiscal year, an amount of not less than two million dollars (\$2,000,000)
25 or eighteen percent (18%), whichever is greater each fiscal year, shall be
26 awarded through a grant or professional services contract for EAST
27 infrastructure, personnel, and operating expenses. The EAST infrastructure
28 grant or contract for personal services and operating expenses shall be
29 awarded to an entity that has personnel or experience, or both, in
30 implementing the EAST Initiative.

31 The provisions of this section shall be in effect only from July 1, ~~2012~~
32 2013 through June 30, ~~2013~~ 2014.

33

34 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CENTER
36 FOR QUALITY TEACHING AND LEARNING FUNDING PROVISION. Of the total

1 appropriation authorized by this Act for Technology Grants the Department of
2 Education shall make available one hundred eighty-seven thousand five hundred
3 seventy-five dollars (\$187,575) each fiscal year for Center for Quality
4 Teaching and Learning initiatives to teach students computer repair in a
5 hands-on environment. The Department of Education shall allocate General
6 Revenue funding totaling no less than one hundred eighty-seven thousand five
7 hundred seventy-five dollars (\$187,575) each fiscal year from the Department
8 of Education Public School Fund Account to support the Center for Quality
9 Teaching and Learning. The Department shall either expend or have committed
10 for expenditure the monies allocated for the Center for Quality Teaching and
11 Learning in order to fulfill the provisions of this section.

12 The provisions of this section shall be in effect only from July 1,
13 ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

14

15 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
17 DISTRESSED SCHOOL DISTRICT SUPPORT. The funds appropriated in the line item
18 "Distressed School District Support" in Section 1 of this Act may be used for
19 technical assistance offered by the Department of Education to school
20 districts in academic distress that can include, but is not limited to,
21 teacher specialists, principal specialists, and other personnel assigned by
22 the department. These funds may also be used for alternative research-based
23 technical assistance or programs. Criteria for selecting and approving
24 alternative research-based technical assistance or programs are to be
25 promulgated as a rule by the State Board of Education, provided that
26 alternative staffing and/or compensation programs for teachers shall be
27 approved by at least a majority of the teachers in the school, schools, or
28 school district participating in the program.

29 The provisions of this section shall be in effect only from July 1, ~~2012~~
30 2013 through June 30, ~~2013~~ 2014.

31

32 SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
34 PROFESSIONAL DEVELOPMENT. Of the total amount appropriated for Professional
35 Development Funding, four million dollars (\$4,000,000) may be authorized by
36 the Commissioner of the Department of Education to be used by the Department

1 of Education to develop and implement statewide professional development
2 support systems for teachers that will benefit student achievement.

3 The provisions of this section shall be in effect only from July 1, ~~2012~~
4 2013 through June 30, ~~2013~~ 2014.

5

6 SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

8 RETIREMENT MATCHING. Beginning with the 1996-97 school year, Local School
9 Districts shall pay the teacher retirement employer contribution rate for any
10 eligible employee in accordance with rules and regulations established by the
11 Teacher Retirement Board of Directors. The appropriation contained herein for
12 Teacher Retirement Matching each fiscal year shall be used to provide the
13 employer matching for employees of the Cooperative Education Services Areas,
14 Vocational Centers, Arkansas Easter Seals and the school operated by the
15 Department of Correction.

16 The provisions of this section shall be in effect only from July 1, ~~2012~~
17 2013 through June 30, ~~2013~~ 2014.

18

19 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. OPEN-
21 ENROLLMENT VIRTUAL CHARTER SCHOOL FUNDING RESTRICTIONS.

22 Regardless of any provision of law to the contrary, no school district
23 shall receive state funding for the ~~2012-2013~~ 2013-2014 school year for those
24 students who are included in the district's average daily membership for the
25 previous school year but who are attending any open-enrollment charter school
26 that uses internet, long-distance, or virtual technology as the primary
27 method of teaching.

28 The provisions of this section shall be in effect only from July 1, ~~2012~~
29 2013 through June 30, ~~2013~~ 2014.

30

31 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BETTER

33 CHANCE PROGRAM ADMINISTRATIVE FEES. The Department of Education is hereby
34 authorized to expend a maximum of two percent (2%) of available funds for
35 administration of the Better Chance Program. Up to 1.8% of available funds
36 shall be used to administer the program and to monitor program grantees to

1 ensure compliance with programmatic standards. Prior to the utilization of
2 the remaining 0.2% of available funds, the Department of Education shall seek
3 prior review and approval of the Arkansas Legislative Council or Joint Budget
4 Committee by providing a written request to include the following: a) the
5 Department's reason(s) for the use of the funds and b) the amount of funds
6 that will be expended. The Department may contract with the Division of Child
7 Care and Early Childhood Education to administer the program.

8 Determining the maximum number of employees and the maximum amount of
9 appropriation and general revenue funding for a state agency each fiscal year
10 is the prerogative of the General Assembly. This is usually accomplished by
11 delineating such maximums in the appropriation act(s) for a state agency and
12 the general revenue allocations authorized for each fund and fund account by
13 amendment to the Revenue Stabilization law. Therefore, it is both necessary
14 and appropriate that the General Assembly maintain oversight by requiring
15 prior approval of the Legislative Council or Joint Budget Committee as
16 provided by this section. The requirement of approval by the Legislative
17 Council or Joint Budget Committee is not a severable part of this section.
18 If the requirement of approval by the Legislative Council or Joint Budget
19 Committee is ruled unconstitutional by a court of competent jurisdiction,
20 this entire section is void.

21 The provisions of this section shall be in effect only from July 1, ~~2012~~
22 2013 through June 30, ~~2013~~ 2014.

23
24 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AVERAGE
26 TEACHER SALARY. The Arkansas Department of Education is requested to
27 calculate Average Teacher Salary in the Department's Annual Statistical
28 Report to not include extra duty funds. Specifically, the Department is
29 requested to calculate the Average Teacher Salary amount using the National
30 Education Association definitions for Average Salary for Classroom Teachers.
31 The Arkansas Department of Education shall submit this data annually to the
32 National Education Association in accordance with that organization's
33 deadlines for submission for their report "Rankings and Estimates" which
34 includes state-by-state teacher salary comparisons.

35
36 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
2 FORWARD. Any unexpended balance of monies allocated for the Arkansas Better
3 Chance for School Success Program remaining on June 30, ~~2013~~ 2014, in the
4 Department of Education Public School Fund Account shall be designated and
5 retained for the Arkansas Better Chance for School Success Program.

6 Any carry forward of unexpended balance of funding as authorized herein,
7 may be carried forward under the following conditions:

8 (1) Prior to June 30, ~~2013~~ 2014 the Agency shall by written statement set
9 forth its reason(s) for the need to carry forward said funding to the
10 Department of Finance and Administration Office of Budget;

11 (2) The Department of Finance and Administration Office of Budget shall
12 report to the Arkansas Legislative Council all amounts carried forward by the
13 September Arkansas Legislative Council or Joint Budget Committee meeting
14 which report shall include the name of the Agency, Board, Commission or
15 Institution and the amount of the funding carried forward, the program name
16 or line item, the funding source of that appropriation and a copy of the
17 written request set forth in (1) above;

18 (3) Each Agency, Board, Commission or Institution shall provide a written
19 report to the Arkansas Legislative Council or Joint Budget Committee
20 containing all information set forth in item (2) above, along with a written
21 statement as to the current status of the project, contract, purpose etc. for
22 which the carry forward was originally requested no later than thirty (30)
23 days prior to the time the Agency, Board, Commission or Institution presents
24 its budget request to the Arkansas Legislative Council/Joint Budget
25 Committee; and

26 (4) Thereupon, the Department of Finance and Administration shall include
27 all information obtained in item (3) above in the budget manuals and/or a
28 statement of non-compliance by the Agency, Board, Commission or Institution.

29 The provisions of this section shall be in effect only from July 1, ~~2012~~
30 2013 through June 30, ~~2013~~ 2014.

31

32 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
34 SCHOOL RETIREE HEALTH INSURANCE. The Employee Benefits Division of the
35 Department of Finance and Administration may use up to eleven dollars and
36 twenty cents (\$11.20) from each contribution made under Arkansas Code

1 §6-17-1117 (a) to offset the cost of health insurance premiums to eligible
2 members electing to participate in the public school employees' health
3 insurance program as a retiree.
4

5 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
7 ARKANSAS/STRIVE PROGRAM TRANSFER. The Chief Fiscal Officer of the State
8 shall transfer on his books and those of the State Treasurer and the State
9 Auditor, the sum of two hundred thousand dollars (\$200,000) during each
10 fiscal year from the Department of Education Public School Fund Account to
11 the University of Arkansas at Little Rock Fund, specifically to provide
12 funding for the Arkansas/STRIVE Program. The total amount of funds
13 transferred each fiscal year pursuant to this section shall not be subject to
14 any indirect costs by the University of Arkansas at Little Rock.

15 The provisions of this section shall be in effect only from July 1, ~~2012~~
16 2013 through June 30, ~~2013~~ 2014.
17

18 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTH
20 INSURANCE. The appropriation contained herein for Public School Employee
21 Insurance each fiscal year shall be used to provide the state contribution
22 for insurance premiums for employees of the Cooperative Education Services
23 Areas, Vocational Centers, and the school operated by the Department of
24 Correction who participate in the Arkansas Public School Life and Health
25 Insurance Program.

26 The provisions of this section shall be in effect only from July 1, ~~2012~~
27 2013 through June 30, ~~2013~~ 2014.
28

29 SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
31 ALTERNATIVE LEARNING ENVIRONMENT. The Department of Education may provide
32 funding for Alternative Learning Environment Programs in excess of the
33 regulatory limitation of six (6) hours per day for those programs that
34 operate more than twelve hours per day, in a proportionate manner and upon
35 special request to the Department of Education.

36 The provisions of this section shall be in effect only from July 1, ~~2012~~

1 2013 through June 30, ~~2013~~ 2014.

2

3 SECTION 30. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. STATE
5 FUND RESTRICTIONS. No state funds shall be used for abortion referral in
6 public schools, or for abortion services. Funds shall be expended in
7 accordance with Arkansas Code Annotated §6-18-703.

8 The provisions of this section shall be in effect only from July 1, ~~2012~~
9 2013 through June 30, ~~2013~~ 2014.

10

11 SECTION 31. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
13 ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE FUNDING PROVISION.
14 Effective for the plan year beginning October 1, ~~2012~~ 2013, if ninety-eight
15 percent (98%) of the uniform rate of tax used in the calculation of State
16 Foundation Funding Aid for fiscal year ~~2012-2013~~ 2013-2014 exceeds nine
17 hundred twenty million seven hundred thirty-one thousand eight hundred
18 nineteen dollars (\$920,731,819), the Department of Education shall pay up to
19 fifteen million dollars (\$15,000,000) of the total increase over the nine
20 hundred twenty million seven hundred thirty-one thousand eight hundred
21 nineteen dollars (\$920,731,819) to the Employee Benefits Division of the
22 Department of Finance and Administration in additional health insurance
23 contributions for eligible employees electing to participate in the public
24 school employees' health insurance program administered by the State and
25 Public School Life and Health Insurance Board.

26 The Department of Education shall make the contributions by transferring
27 funds to the division in quarterly installments. Funds provided by the
28 Department of Education to the division under this section shall be
29 administered by the board for the benefit of the employee participants of the
30 public school employees' health insurance program.

31 The provisions of this section shall be in effect only from July 1, ~~2012~~
32 2013 through June 30, ~~2013~~ 2014.

33

34 SECTION 32. Section 1 of Uncodified Act 269 of 2012, is amended to read
35 as follows:

36

1 *SECTION 1. APPROPRIATION. There is hereby appropriated, to the*
 2 *Department of Education, to be payable from the Department of Education*
 3 *Public School Fund Account, for grants and aid to local school districts and*
 4 *special programs of the Department of Education for the fiscal year ending*
 5 *June 30, 2013, the following:*

<i>ITEM</i>	<i>FISCAL YEAR</i>
<i>NO.</i>	<i>2012-2013</i>
<i>(01) 98% URT ACTUAL COLLECTION ADJUSTMENT</i>	<i>\$34,500,000</i>
<i>(02) ADDITIONAL PUBLIC SCHOOL EMPLOYEE HEALTH INSURANCE</i>	<i>15,000,000</i>
<i>(03) ADVANCED PLACEMENT INCENTIVE</i>	<i>825,000</i>
<i>(04) ALTERNATIVE LEARNING</i>	<i>21,775,797</i>
<i>(05) ALTERNATIVE PAY</i>	<i>807,907</i>
<i>(06) ARKANSAS EASTER SEALS</i>	<i>193,113</i>
<i>(07) ASSESSMENT/END OF COURSE TESTING</i>	<i>24,375,349</i>
<i>(08) AT RISK</i>	<i>1,688,530</i>
<i>(09) BETTER CHANCE PROGRAM</i>	<i>111,000,000</i>
<i>(10) BONDED DEBT ASSISTANCE</i>	<i>28,455,384</i>
<i>(11) CONSOLIDATION INCENTIVE</i>	<i>9,415,127</i>
<i>(12) CONTENT STANDARDS</i>	<i>161,000</i>
<i>(13) CONTENTS STANDARDS CURRICULUM FRAMEWORKS</i>	<i>50,000</i>
<i>(14) COOP EDUCATION TECH CENTERS</i>	<i>1,200,000</i>
<i>(15) COORDINATED SCHOOL HEALTH</i>	<i>2,000,000</i>
<i>(16) COURT ORDERED DESEGREGATION</i>	<i>69,814,372</i>
<i>(17) CRIMINAL BACKGROUND CHECKS</i>	<i>25,000</i>
<i>(18) DECLINING ENROLLMENT</i>	<i>13,963,389</i>
<i>(19) DEPARTMENT OF CORRECTION</i>	<i>6,024,799</i>
<i>(20) DISTANCE LEARNING</i>	<i>4,760,000</i>
<i>(21) DISTANCE LEARNING OPERATIONS</i>	<i>7,575,000</i>
<i>(22) DISTRESSED SCHOOL DISTRICT SUPPORT</i>	<i>50,000</i>
<i>(23) EARLY CHILDHOOD SPECIAL EDUCATION</i>	<i>16,897,920</i>
<i>(24) ECONOMIC EDUCATION</i>	<i>350,000</i>
<i>(25) EDUCATION SERVICE COOPERATIVES</i>	<i>6,129,270</i>
<i>(26) ENGLISH LANGUAGE LEARNERS</i>	<i>12,162,924</i>
<i>(27) GENERAL FACILITIES FUNDING</i>	<i>8,100,000</i>
<i>(28) GIFTED & TALENTED</i>	<i>1,335,381</i>

1	(29) GRANTS TO SCHOOL DISTRICTS	67,856
2	(30) HOME SCHOOL TESTING	250,000
3	(31) HUMAN DEVELOPMENT CENTER EDUCATION AID	526,150
4	(32) INTERVENTION BLOCK GRANTS	302,000
5	(33) ISOLATED FUNDING	7,896,000
6	(34) LEADERSHIP ACADEMY-MASTER PRINCIPAL	500,000
7	(35) MASTER PRINCIPAL BONUS	90,000
8	(36) NATIONAL BOARD OF PROF TEACHING STANDARDS	12,016,160
9	(37) NATIONAL SCHOOL LUNCH	187,235,597
10	(38) NON-TRADITIONAL LICENSURE	50,000
11	(39) PROFESSIONAL DEVELOPMENT FUNDING	24,244,209
12	(40) PUBLIC SCHOOL EMPLOYEE INSURANCE	37,273,600
13	(41) RESIDENTIAL CENTERS/JUVENILE DETENTION	16,345,087
14	(42) SCHOOL FACILITY JOINT USE SUPPORT	500,000
15	(43) SCHOOL FOOD SERVICES	1,650,000
16	(44) SCHOOL FOOD-LEGISLATIVE AUDIT	75,000
17	(45) SCHOOL FUNDING CONTINGENCY	25,000,000
18	(46) SCHOOL WORKER DEFENSE	390,000
19	(47) SERIOUS OFFENDER	1,716,859
20	(48) SMART START/SMART STEP	10,666,303
21	(49) SPECIAL EDUCATION SERVICES	4,145,285
22	(50) SPECIAL EDUCATION-CATASTROPHIC	11,000,000
23	(51) SPECIAL NEEDS ISOLATED FUNDING	3,000,000
24	(52) STATE FOUNDATION FUNDING	1,904,969,759
25	(53) SUPPLEMENTAL TRANSPORTATION	500,000
26	(54) STUDENT GROWTH	28,500,000
27	(55) SUPPLEMENTAL MILLAGE	10,000,000
28	(56) SURPLUS COMMODITIES	780,000
29	(57) TEACHER LICENSING/MENTORING	5,008,758
30	(58) TEACHER OF THE YEAR	100,000
31	(59) TEACHER RECRUITMENT	2,100,000
32	(60) TEACHER RETIREMENT MATCHING	6,655,000
33	(61) TECHNOLOGY GRANTS	3,602,678
34	(62) TECHNOLOGY IMPROVEMENTS	500,000
35	(63) WORKER'S COMPENSATION	450,000
36	(64) YOUTH SHELTERS	165,000

1 (65) STUDENT SUCCESS RESEARCH DATA PILOT PROGRAM 200,000
 2 TOTAL AMOUNT APPROPRIATED \$2,706,606,563 \$2,707,106,563
 3

4 SECTION 33. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. Section
 6 32 of Uncodified Act 269 of 2012, is hereby amended to read as follows:
 7

8 ~~SECTION 32. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS~~
 9 ~~CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.~~
 10 ~~SUPPLEMENTAL TRANSPORTATION. The Department of Education shall budget,~~
 11 ~~allocate and commit for expenditure five hundred thousand dollars (\$500,000)~~
 12 ~~for the appropriation made herein for "Supplemental Transportation". The~~
 13 ~~Department shall use such funding to address extraordinary transportation~~
 14 ~~needs of public school districts. The State Board of Education shall~~
 15 ~~promulgate such rules and regulations as may be necessary to implement this~~
 16 ~~provision, which shall be reviewed by the House and Senate Interim Committees~~
 17 ~~on Education.~~
 18

19 SECTION 34. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ARKANSAS
 21 GOVERNOR'S SCHOOL FUNDING. The Department of Education shall allocate, budget
 22 and commit for expenditure two hundred fifty thousand dollars (\$250,000), in
 23 addition to funds already being provided for the Arkansas Governor's School,
 24 to fund the appropriation authorized from general revenue for the Gifted and
 25 Talented program as appropriated in Section 1 herein. With this additional
 26 funding the duration of the Arkansas Governor's School shall be extended from
 27 four (4) weeks to six (6) weeks.

28 The provisions of this section shall be in effect only from July 1, ~~2012~~
 29 2013 through June 30, ~~2013~~ 2014.
 30

31 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ISOLATED
 33 FUNDING - SPECIAL PROVISIONS. When the Department of Education uses a new
 34 methodology or technology to recalculate square miles to determine student
 35 transportation distance, density ratio, total area, or bus route miles for
 36 the purpose of determining the amount of isolated funding a school district

1 receives under Ark. Code Ann. § 6-20-601 et seq., the school district shall
2 receive an amount of isolated funding that is not less than the amount of
3 isolated funding the school district would have received based on the school
4 district's square miles calculated in the prior school year; provided that
5 the school district remains eligible for isolated funding under § 6-20-601 et
6 seq.

7 *The provisions of this section shall be in effect only from July 1,*
8 *2012 through June 30, 2014.*

9
10 SECTION 36. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
11 authorized by this act shall be limited to the appropriation for such agency
12 and funds made available by law for the support of such appropriations; and
13 the restrictions of the State Procurement Law, the General Accounting and
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
15 Procedures and Restrictions Act, or their successors, and other fiscal
16 control laws of this State, where applicable, and regulations promulgated by
17 the Department of Finance and Administration, as authorized by law, shall be
18 strictly complied with in disbursement of said funds.

19
20 SECTION 37. LEGISLATIVE INTENT. It is the intent of the General
21 Assembly that any funds disbursed under the authority of the appropriations
22 contained in this act shall be in compliance with the stated reasons for
23 which this act was adopted, as evidenced by the Agency Requests, Executive
24 Recommendations and Legislative Recommendations contained in the budget
25 manuals prepared by the Department of Finance and Administration, letters, or
26 summarized oral testimony in the official minutes of the Arkansas Legislative
27 Council or Joint Budget Committee which relate to its passage and adoption.

28
29 *SECTION 38. EMERGENCY CLAUSE. It is found and determined by the General*
30 *Assembly, that the Constitution of the State of Arkansas prohibits the*
31 *appropriation of funds for more than a one (1) year period; that the*
32 *effectiveness of this Act on July 1, 2013 is essential to the operation of*
33 *the agency for which the appropriations in this Act are provided; with the*
34 *exception that SECTIONS 32, 33 and 35 in this Act shall be in full force and*
35 *effect from and after the date of its passage and approval, and that in the*
36 *event of an extension of the legislative session, the delay in the effective*

1 date of this Act beyond July 1, 2013 could work irreparable harm upon the
2 proper administration and provision of essential governmental programs, with
3 the exception that SECTIONS 32, 33 and 35 in this Act shall be in full force
4 and effect from and after the date of its passage and approval. Therefore, an
5 emergency is hereby declared to exist and this Act being necessary for the
6 immediate preservation of the public peace, health and safety shall be in
7 full force and effect from and after July 1, 2013; with the exception that
8 SECTIONS 32, 33 and 35 in this Act shall be in full force and effect from and
9 after the date of its passage and approval.

10
11 /s/Joint Budget Committee
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